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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/066,473 | 02/01/2002 | Janne Aaltonen | 4208-4042 | 3505 |

7590 08/26/2005

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| EXAMINER |
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NGUYEN, THU HA T

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| ART UNIT | PAPER NUMBER |
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2155

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/066,473

Applicant(s)

AALTONEN ET AL.

Examiner

Thu Ha T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/01/02-09/27/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-6 and 13-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) 1-34 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/25/02, 8/8/03, 9/27/04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims **1-34** are presented for examination.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted was filed on June 25, 2002, August 08, 2003, and September 27, 2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements are being considered by the examiner.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

4. Claims 3-6 are objected to because of the following informalities:
5. Claim 3 recited the limitation "the channel's broadcasting" in page 29, lines 3-4, and 8. There is lack of antecedent basis for this limitation in this claim
6. Likewise, claims 4-6 also recited the limitation "the channel's broadcasting". There is also lack of antecedent basis for this limitation in these claims. For purpose of examination, examiner assumes "the channel's broadcasting" as "the television channels' broadcasting".
7. Appropriate correction is required.

Election/Restrictions

8. Restriction to one of the following inventions is required under 35 U.S.C.

121:

- I. Claims 1, 7-9, 2, and 10-12 drawn to a system and method for improving the efficient of data transmission, classified in **class 709, subclass 200**.
- II. Claims 3-6, and 13-28, drawn to a system and method for displaying information related to a television channel's broadcasting having link to external information resource, classified in **class 725, subclass 51**.
- III. Claims 29-30, draw to a method and system for displaying information related to a television channel's broadcasting by using searching and comparing process by which specific recently broadcast items can be accessed, classified in **class 725, subclass 53**.
- IIII. Claims 31-34, draw to a system and method for displaying information related to a television channel's broadcasting having electronic displaying guide, classified in **class 725, subclass 39**.

9. Inventions I, II, III and IIII are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the

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combination, which is displaying information related to television channel's broadcasting having hyperlinks, as claimed does not require searching and comparing process by which specific recently broadcast items can be accessed and determining location of requested data and transmitting requested data to user's terminal. The subcombination has separate utility such as searching and comparing process by which specific recently broadcast items can be accessed and determining location of requested data and transmitting requested data to user's terminal.

10. Because these inventions are distinct for the reasons given above and the search required for Group I search (claims 1, 7-9, 2, and 10-12) would require use of search **Class 709, subclass 200** (not require for inventions II, III, and IIII); Group II search (claims 3-6, and 13-28) would require use of search **Class 725, subclass 51** (not require for the inventions I, III and IIII); Group III search (claims 29-30) would require use of search **Class 725, subclass 53** (not require for the inventions I, II and IIII); Group IIII search (claims 31-34) would require use of search **Class 725, subclass 39** (not require for the inventions I, II and III), restriction for examination purposes as indicated is proper.

11. During a telephone conversation with Applicants' Representative, Mr. Angus R. Gill (Reg. No. 51,133), on August 03, 2005 a provisional election was made traverse to prosecute the invention of Group II, claims 3-6, and 13-28. Affirmation of this election must be made by applicant in replying to this Office action. **Claims 1, 7-9, 2, and 10-12 and 29-34 are withdrawn from further consideration as being directed**

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to a non-elected invention. See 37 CFR 1.142(b), as being drawn to a non-elected invention and MPEP § 821.03.

12. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 3-6, 13, 15-17, 19-21, 23-25, and 27-28 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Matthews, III et al.** (hereinafter Matthews) U.S. Patent No. **6,025,837**, in view of **Tomita et al.** (hereinafter Tomita) U.S. Patent No. **6,732,372**.

15. As to claim 3, **Matthews** teaches the invention as claimed, including a method for displaying information related to a television channel's broadcasting (col. 5, line 66-col. 6, line 6), comprising:

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placing on a webpage one or more icons coordinated with the channel's broadcasting, said icons acting as hyperlinks to data relating to a predetermined number of programs broadcast on the television channel (figure 5, col. 9, line 1-col. 10, line 49 –*channel icons 122 coordinate with television channel's broadcasting and having hyperlinks insert into these icons. Each channel icon includes a number of program tile 124*); and

further placing on the webpage an element relating to programming currently being broadcast on the television channel, said element being coordinated with the channel's broadcasting (col. 7, line 64-col. 8, line 5, col. 9, lines 1-64 –*figure ,5 elements 114, 122, 124, 126 coordinate with the channel's broadcasting television programs*).

Matthews teaches a hyperlink (figure 5, element 140) relating to a program recently broadcast on the television channel (col. 9, line 64-col. 10, line 13). However, **Matthews** does not explicitly teach one or more icons acting as hyperlinks related to programs recently broadcast on the television channel.

Tomita, in the related art, teaches one or more icons (figure 9, buttons 51, 53) acting as hyperlinks related to programs recently broadcast on the television channel (figure 9, icons 51, 53, col. 8, lines 1-65 –*icons/buttons 51, 53 have an assigned URL in connection with the broadcast-program-information 300*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate one or more icons acting as hyperlinks related to programs recently broadcast on the television channel, as disclosed by **Tomita**, into **Matthews** system because it were conventionally employed in the art to provide icons

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acting as hyperlinks relating to program broadcast on the television channel to assist a viewer in navigating among various channels.

16. As to claim 4, **Matthews** teaches the invention as claimed, including a webpage for displaying information related to a television channel's broadcasting (col. 5, line 66-col. 6, line 6), comprising:

one or more icons coordinated with the channel's broadcasting, said icons acting as hyperlinks to data relating to a predetermined number of programs broadcast on the television channel (figure 5, col. 9, line 1-col. 10, line 49 –*channel icons 122 coordinate with television channel's broadcasting and having hyperlinks insert into these icons.*

Each channel icon includes a number of program tile 124); and

an element relating to programming currently being broadcast on the television channel, said element being coordinated with the channel's broadcasting (col. 7, line 64-col. 8, line 5, col. 9, lines 1-64 –*figure ,5 elements 114, 122, 124, 126 coordinate with the channel's broadcasting television programs).*

Matthews teaches a hyperlink (figure 5, element 140) relating to a program recently broadcast on the television channel (col. 9, line 64-col. 10, line 13). However, **Matthews** does not explicitly teach one or more icons acting as hyperlinks related to programs recently broadcast on the television channel.

Tomita, in the related art, teaches one or more icons (figure 9, buttons 51, 53) acting as hyperlinks related to programs recently broadcast on the television channel

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(figure 9, icons 51, 53, col. 8, lines 1-65 –*Icons/buttons 51, 53 have an assigned URL in connection with the broadcast-program-information 300*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate one or more icons acting as hyperlinks related to programs recently broadcast on the television channel, as disclosed by **Tomita**, into **Matthews** system because it were conventionally employed in the art to provide icons acting as hyperlinks relating to program broadcast on the television channel to assist a viewer in navigating among various channels.

17. As to claim 5, **Matthews** teaches the invention as claimed, including method for purveying information related to a television channel's broadcasting (col. 5, line 66-col. 6, line 6), comprising:

transmitting along with the channel's television programming data relating to that programming (abstract, col. 6, lines 34-58, col. 8, lines 52-67, col. 9, lines 1-55 – *distributing/transmitting a listing of various program tiles 124 (figure 5) and channel tiles 114, 122 (figure 5) along with media content (i.e., digital video)*);

placing the transmitted data in a store of a user's device (col. 7, lines 31-53, col. 9, line 45-col. 10, line 13 –*transmitting data records for programs and channels to the user interface unit (i.e., user's device) and storing/caching in local memory*);

placing on a webpage one or more icons coordinated with the channel's broadcasting, said icons acting as hyperlinks to data relating to a predetermined number of programs broadcast on the television channel (figure 5, col. 9, line 1-col. 10,

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line 49 –*channel icons 122 coordinate with television channel's broadcasting and having hyperlinks insert into these icons. Each channel icon includes a number of program tiles 124*);

further placing on the webpage an element relating to programming currently being broadcast on the television channel, said element being coordinated with the channel's broadcasting (col. 7, line 64-col. 8, line 5, col. 9, lines 1-64 –*figure ,5 elements 114, 122, 124, 126 coordinate with the channel's broadcasting television programs*).

Matthews does not explicitly teach the step of retrieving the transmitted data from said store in response to the user's request for that data.

However, **Matthews** teaches transmitting data records for programs and channels to user interface unit and caching in local memory (i.e., local cache) at user interface unit (i.e., user's device). The data records for programs and channels can be transmitted in response to viewer requests. The EPG 104 (figure 4) inserts the appropriate data records into the EPG user interface for display as the viewer maneuvers the frame 126 (figures 4-5, col. 7, lines 32-41, col. 9, lines 45-55). It is obvious that **Matthews** implicitly teach the step of retrieving the transmitted data from said store upon receiving user's request because in order the EPG 104 inserts appropriate data record programs and displays at EPG user interface (i.e., at user's device) upon the viewer (i.e., user) maneuvers the frame 126 (figure 4) it has to have the step of retrieving in order to provide and display at EPG user interface. Therefore, it were conventionally employed in the art that **Matthews** using a local cache to store data records in order to retrieve and provide (i.e., display) data to viewer in response to

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viewer's request because it would have provided an optimized system to reduce load on the network and improve performance of the user interface units (col. 7, lines 32-42).

Matthews teaches a hyperlink (figure 5, element 140) relating to a program recently broadcast on the television channel (col. 9, line 64-col. 10, line 13). However, **Matthews** does not explicitly teach one or more icons acting as hyperlinks related to programs recently broadcast on the television channel.

Tomita, in the related art, teaches one or more icons (figure 9, buttons 51, 53) acting as hyperlinks related to programs recently broadcast on the television channel (figure 9, icons 51, 53, col. 8, lines 1-65 –*Icons/buttons 51, 53 have an assigned URL in connection with the broadcast-program-information 300*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate one or more icons acting as hyperlinks related to programs recently broadcast on the television channel, as disclosed by **Tomita**, into **Matthews** system because it were conventionally employed in the art to provide icons acting as hyperlinks relating to program broadcast on the television channel to assist a viewer in navigating among various channels.

18. As to claim 6, **Matthews** teaches the invention as claimed, including a system for purveying information related to a television channel's broadcasting (col. 5, line 66-col. 6, line 6), comprising:

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a memory having program code stored therein (figure 4, program memory 96, col. 8, lines 21-51 –*program memory 96 stores operating system 101, channel navigator application 102, EPG application 104*); and

a processor operatively connected to said memory for carrying out instructions in accordance with said stored program code (figure 4, processor 92, program memory 96, col. 8, lines 21-67 –*processor 92 connects to program memory 96 and executes on processor 92 by application stored in program memory 96*);

wherein said program code, when executed by said processor (figure 4, col. 8, lines 21-67), causes said processor to perform the steps of:

transmitting along with the channel's television programming data relating to that programming (abstract, col. 6, lines 34-58, col. 8, lines 52-67, col. 9, lines 1-55 –*distributing/transmitting a listing of various program tiles 124 (figure 5) and channel tiles 114, 122 (figure 5) along with media content (i.e., digital video)*);

placing the transmitted data in a store of a user's device (col. 7, lines 31-53, col. 9, line 45-col. 10, line 13 –*transmitting data records for programs and channels to the user interface unit and storing/caching in local memory*);

placing on a webpage one or more icons coordinated with the channel's broadcasting, said icons acting as hyperlinks to data relating to a predetermined number of programs broadcast on the television channel (figure 5, col. 9, line 1-col. 10, line 49 –*channel icons 122 coordinate with television channel's broadcasting and having hyperlinks insert into these icons. Each channel icon includes a number of program tile 124*);

further placing on the webpage an element relating to programming currently being broadcast on the television channel, said element being coordinated with the channel's broadcasting (col. 7, line 64-col. 8, line 5, col. 9, lines 1-64 –*figure 5 elements 114, 122, 124, 126 coordinate with the channel's broadcasting television programs*).

Matthews does not explicitly teach the step retrieving the transmitted data from said store in response to the user's request for that data.

However, **Matthews** teaches transmitting data records for programs and channels to user interface unit and caching in local memory (i.e., local cache) at user interface unit (i.e., user's device). The data records for programs and channels can be transmitted in response to viewer requests. The EPG 104 (figure 4) inserts the appropriate data records into the EPG user interface for display as the viewer maneuvers the frame 126 (figures 4-5, col. 7, lines 32-41, col. 9, lines 45-55). It is obvious that **Matthews** implicitly teach the step of retrieving the transmitted data from said store upon receiving user's request because in order the EPG 104 inserts appropriate data record programs and displays at EPG user interface (i.e., at user's device) upon the viewer (i.e., user) maneuvers the frame 126 (figure 4) it has to have the step of retrieving in order to provide and display at EPG user interface. Therefore, it were conventionally employed in the art that **Matthews** using a local cache to store data records in order to retrieve and provide (i.e., display) data to viewer in response to viewer's request because it would have provided an optimized system to reduce load on the network and improve performance of the user interface units (col. 7, lines 32-42).

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Matthews teaches a hyperlink (figure 5, element 140) relating to a program recently broadcast on the television channel (col. 9, line 64-col. 10, line 13). However, **Matthews** does not explicitly teach one or more icons acting as hyperlinks related to programs recently broadcast on the television channel.

Tomita, in the related art, teaches one or more icons (figure 9, buttons 51, 53) acting as hyperlinks related to programs recently broadcast on the television channel (figure 9, icons 51, 53, col. 8, lines 1-65 –*Icons/buttons 51, 53 have an assigned URL in connection with the broadcast-program-information 300*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate one or more icons acting as hyperlinks related to programs recently broadcast on the television channel, as disclosed by **Tomita**, into **Matthews** system because it were conventionally employed in the art to provide icons acting as hyperlinks relating to program broadcast on the television channel to assist a viewer in navigating among various channels.

19. As to claim 13, **Matthews** teaches the a method for displaying information related to a television channel's broadcasting as claimed in claim 3, wherein said element is an icon that acts as a hyperlink (figure 5, elements 114, 122, 124, col. 9, lines 56-64).

20. As to claim 15, **Matthews** teaches the a method for displaying information related to a television channel's broadcasting as claimed in claim 3, wherein said element is a frame displaying data (figure 5, frame 126, 128, col. 9, lines 26-44).

21. As to claim 16, **Matthews** teaches the a method for displaying information related to a television channel's broadcasting as claimed in claim 3, wherein the predetermined number is selected by the user (col. 9, lines 45-55 –*certain programs and channels can be selectively transmitted in response to viewer requests (i.e., predetermined number programs)*)).

22. As to claim 17, **Matthews** teaches a webpage as claimed in claim 4, wherein said element is an icon that acts as a hyperlink (figure 5, elements 114, 122, 124, col. 9, lines 56-64).

23. As to claim 19, **Matthews** teaches a webpage as claimed in claim 4, wherein said element is a frame displaying data (figure 5, frame 126, 128, col. 9, lines 26-44).

24. As to claim 20, **Matthews** teaches a webpage as claimed in claim 4, wherein the predetermined number is selected by the user (col. 9, lines 45-55 –*certain programs and channels can be selectively transmitted in response to viewer requests (i.e., predetermined number programs)*)).

25. As to claim 21, **Matthews** teaches the a method for displaying information related to a television channel's broadcasting as claimed in claim 5 wherein said element is an icon that acts as a hyperlink (figure 5, elements 114, 122, 124, col. 9, lines 56-64).

26. As to claim 23, **Matthews** teaches the a method for displaying information related to a television channel's broadcasting as claimed in claim 5, wherein said element is a frame displaying data (figure 5, frame 126, 128, col. 9, lines 26-44).

27. As to claim 24, **Matthews** teaches the a method for displaying information related to a television channel's broadcasting as claimed in claim 5, wherein the predetermined number is selected by the user (col. 9, lines 45-55 –*certain programs and channels can be selectively transmitted in response to viewer requests (i.e., predetermined number programs)*).

28. As to claim 25, **Matthews** teaches the a system for displaying information related to a television channel's broadcasting as claimed in claim 6, wherein said element is an icon that acts as a hyperlink (figure 5, elements 114, 122, 124, col. 9, lines 56-64).

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29. As to claim 27, **Matthews** teaches the a system for displaying information related to a television channel's broadcasting as claimed in claim 6, wherein said element is a frame displaying data (figure 5, frame 126, 128, col. 9, lines 26-44).

30. As to claim 28, **Matthews** teaches the a method for displaying information related to a television channel's broadcasting as claimed in claim 6, wherein the predetermined number is selected by the user (col. 9, lines 45-55 –*certain programs and channels can be selectively transmitted in response to viewer requests (i.e., predetermined number programs)*).

31. Claims 14, 18, 22, and 26 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Matthews, III et al.** (hereinafter **Matthews**) U.S. Patent No. **6,025,837**, and **Tomita et al.** (hereinafter **Tomita**) U.S. Patent No. **6,732,372**, further in view of **Kelts** U.S. Publication No. **2002/0112237**.

32. As to claim 14, **Matthews and Tomita** system teaches the a method for displaying information related to a television channel's broadcasting as claimed in claim 3. However, **Matthews and Tomita** system does not explicitly teach wherein said icons relating to programs recently broadcast are smaller than the icon relating to programming currently being broadcast. **Kelts**, in the related art, teaches icons relating to programs recently broadcast (i.e., inactive map items/icons) are smaller than the icon relating to programming currently being broadcast (i.e., active map items/icons) (figure

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1, icon/item 126, page 7, paragraphs 0084, 0088-0089, 0067 –*the inactive map items/icons are smaller than the active map item/icon*). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate the feature of visually distinguishable related to different size by displaying the inactive map items/icons (i.e., the icons relating to programs recently broadcast) are smaller than the active map item/icon (i.e., the icon relating to program currently broadcast), as disclosed by **Kelts** into **Matthews and Tomita** system because it would provide active map item/icon in visually distinguishable way to convey useful information to the user in a quick and easy to interpret and view manner (paragraphs 0079, 0084, 0088).

33. As to claim 18, **Matthews and Tomita** system teaches the a method for displaying information related to a television channel's broadcasting as claimed in claim 4. However, **Matthews and Tomita** system does not explicitly teach wherein said icons relating to programs recently broadcast are smaller than the icon relating to programming currently being broadcast. **Kelts**, in the related art, teaches icons relating to programs recently broadcast (i.e., inactive map items/icons) are smaller than the icon relating to programming currently being broadcast (i.e., active map items/icons) (figure 1, icon/item 126, page 7, paragraphs 0084, 0088-0089, 0067 –*the inactive map items/icons are smaller than the active map item/icon*). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate the feature of visually distinguishable related to different size by displaying

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the inactive map items/icons (i.e., the icons relating to programs recently broadcast) are smaller than the active map item/icon (i.e., the icon relating to program currently broadcast), as disclosed by **Kelts** into **Matthews and Tomita** system because it would provide active map item/icon in visually distinguishable way to convey useful information to the user in a quick and easy to interpret and view manner (paragraphs 0079, 0084, 0088).

34. As to claim 22, **Matthews and Tomita** system teaches the a method for displaying information related to a television channel's broadcasting as claimed in claim 5. However, **Matthews and Tomita** system does not explicitly teach wherein said icons relating to programs recently broadcast are smaller than the icon relating to programming currently being broadcast. **Kelts**, in the related art, teaches icons relating to programs recently broadcast (i.e., inactive map items/icons) are smaller than the icon relating to programming currently being broadcast (i.e., active map items/icons) (figure 1, icon/item 126, page 7, paragraphs 0084, 0088-0089, 0067 –*the inactive map items/icons are smaller than the active map item/icon*). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate the feature of visually distinguishable related to different size by displaying the inactive map items/icons (i.e., the icons relating to programs recently broadcast) are smaller than the active map item/icon (i.e., the icon relating to program currently broadcast), as disclosed by **Kelts** into **Matthews and Tomita** system because it would provide active map item/icon in visually distinguishable way to convey useful information

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to the user in a quick and easy to interpret and view manner (paragraphs 0079, 0084, 0088).

35. As to claim 26, **Matthews and Tomita** system teaches the a method for displaying information related to a television channel's broadcasting as claimed in claim 6. However, **Matthews and Tomita** system does not explicitly teach wherein said icons relating to programs recently broadcast are smaller than the icon relating to programming currently being broadcast. **Kelts**, in the related art, teaches icons relating to programs recently broadcast (i.e., inactive map items/icons) are smaller than the icon relating to programming currently being broadcast (i.e., active map items/icons) (figure 1, icon/item 126, page 7, paragraphs 0084, 0088-0089, 0067 –*the inactive map items/icons are smaller than the active map item/icon*). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to incorporate the feature of visually distinguishable related to different size by displaying the inactive map items/icons (i.e., the icons relating to programs recently broadcast) are smaller than the active map item/icon (i.e., the icon relating to program currently broadcast), as disclosed by **Kelts** into **Matthews and Tomita** system because it would provide active map item/icon in visually distinguishable way to convey useful information to the user in a quick and easy to interpret and view manner (paragraphs 0079, 0084, 0088).

Conclusion

36. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

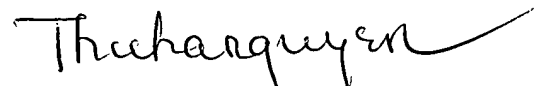
- a) Chor et al. (USPN 6,141,003), discloses a graphical user interface for an entertainment system assists a viewer while navigating channels.
- b) Kunkel et al. (USPN 6,477,579), discloses a system and method for accessing Internet-based and other information through a user television in a television distribution network.
- c) Parasnis et al. (USPN 6,728,753), discloses system and method for broadcasting a presentation over computer network to an online audience.
- d) Kikinis (USPN 6,205,485), discloses a multimedia broadcast system provides program schedule information simulcast as a HTML data stream including selectable indicia associated with the commands, along with program for display.
- e) Rothschild (USPN 6,766,363), discloses system and method for enabling a user with a mobile device to link to information, on a local or global electronic network.
- f) Rowe et al. (USPN 5,812,123), discloses system for retrieving and displaying program information in response to selection of a category of programming information.
- g) Alexander et al. (USPN 6,177,931), discloses system and method for displaying and recording control interface with television programs, video, advertising information and program scheduling information.
- h) Zigmond (US. Pub. No. 2001/0034883), discloses system and method for displaying Internet content associated with television programming.

37. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (571) 272-3989. The examiner can normally be reached Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Najjar Saleh, can be reached at (571) 272-4006.

The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ThuHa Nguyen
Patent Examiner

August 10, 2005